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10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF WASHINGTON  
12 AT SPOKANE

13 UNITED FOOD AND COMMERCIAL  
14 WORKERS UNION, LOCAL 3000, a  
15 non-profit corporation, UNITED FOOD  
16 AND COMMERCIAL WORKERS  
17 UNION, LOCAL 1439, a non-profit  
18 corporation, UNITED FOOD AND  
19 COMMERCIAL WORKERS UNION,  
20 LOCAL 21, a non-profit corporation,  
21 AND FAYE IRENE GUNTHER,  
22 an individual,

23 Plaintiffs,

No. 2:22-cv-00272-TOR  
**[PROPOSED] ORDER  
GRANTING  
DEFENDANTS' RULE  
12(b)(6) MOTION TO  
DISMISS COMPLAINT**

v.

JOSEPH H. EMMONS, individually,  
AND OSPREY FIELD CONSULTING  
LLC, a limited liability company,

Defendants.

[PROPOSED] ORDER GRANTING DEFS.'  
MOTION TO DISMISS  
Case No. 2:22-cv-00272-TOR

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THIS MATTER is before the Court on Defendants' Rule 12(b)(6) Motion to Dismiss Complaint ("Motion"). The Court has considered the Motion, Plaintiffs' Response, and Defendants' Reply, as well as the papers and pleadings on file in this matter. The Court finds that Plaintiffs United Food and Commercial Workers Union Local 3000, United Food and Commercial Workers Union Local 1439, United Food and Commercial Workers Union Local 21, and Faye Irene Guenther have failed to state a claim upon which relief can be granted. The Court GRANTS the Motion, and the Complaint is DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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THOMAS O. RICE  
United States District Judge

[PROPOSED] ORDER GRANTING DEF'S.  
MOTION TO DISMISS  
Case No. 2:22-cv-00272-TOR - 1

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[PROPOSED] ORDER GRANTING DEF'S.  
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## CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2023, I caused the document to which this certificate is attached to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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## *Attorneys for Plaintiffs*

I declare under penalty of perjury that the foregoing is true and accurate.

DATED this 13th day of February, 2023.

By: s/ Ambika Kumar  
Ambika Kumar, WSBA #38237